

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2007 APR 16 AM 11:03

UNITED STATES OF AMERICA)

vs.)

JAMES CASWELL JONES,)

Defendant.)
_____)

INDICTMENT NO.: CR405-283

CLERK *M. Sandoz*
SO. DIST. OF GA.

O R D E R

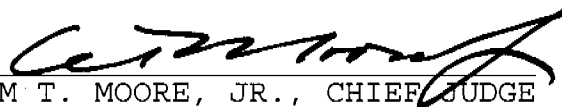
Before the Court is the Government's Motion to Supplement the Record on Appeal. (Doc. 76.) Specifically, the Government seeks to supplement the record in this case with the record from Defendant's prior case, CR402-233. The Government indicates that Defendant has no opposition to this motion. In the appeal, Defendant challenges the dismissal without prejudice of the 2002 indictment and his reindictment in 2005. This type of appeal is properly brought after a subsequent conviction. Thus, the record in the 2002 case is integral to this appeal.

Pursuant to Federal Rule of Appellate Procedure 10(e)(2), "[i]f anything material to either party is omitted from or misstated in the record, . . . a supplemental record may be certified and forwarded . . . by the district court before or after the record has been forwarded."

Accordingly, the Government's Motion to Supplement the Record on Appeal is **GRANTED**. The Clerk of Court is **DIRECTED** to certify and forward a supplemental record, including the record from CR402-

233 as an exhibit to the record in CR405-283, for use in Defendant's pending appeal (No. 07-10317-B).

SO ORDERED this 16th day of April, 2007.


WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA